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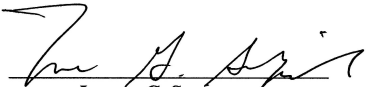
July 28, 2023

Via ECF

The Honorable Lorna G. Schofield
United States District Judge
United States District Court
40 Foley Square
New York, New York 10007

Application **GRANTED**. Any application to restore this action shall be filed by **August 30, 2023**. No further extensions will be granted absent extraordinary circumstances.

Dated: July 31, 2023
New York, New York



LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE

Re: *Terrell Thomas v. 209-219 W. 38 LLC and West 38 Kosher Deli Inc.*
Docket No. 1:22-cv-09848(LGS)(JLC)

Dear Judge Schofield:

We represent the plaintiff in the above-entitled action. With the consent of defendants we write to respectfully ask the Court to extend the time for the parties to file the stipulation of dismissal by thirty (30) days, from July 31, 2023 to August 30, 2023, or, in the alternative, for the Court to re-open the case.¹ The reason for this request is that the parties still require time to finalize and execute the settlement agreement.

By way of background, the parties settled this action on April 24, 2023 and have worked through successive rounds of comments to memorialize their settlement terms in writing. The first round of comments began on April 28, 2023 when plaintiff circulated an initial draft settlement agreement to defendants and concluded on May 24, 2023, when defendant West 38 Kosher Deli Inc. provided its comments to the agreement. The second round of comments commenced on June 5, 2023 when plaintiff circulated a revised draft of the settlement agreement, and concluded on July 11, 2023 after defendant West 38 Kosher Deli Inc. provided some limited comments on July 11, 2023. The third round started when Plaintiff circulated a revised draft agreement on July 21, 2023 and concluded July 26, 2023 when plaintiff received comments from defendant West 38 Kosher Deli Inc. The draft agreement is close to final form as plaintiff has limited comments to defendant West 38 Kosher Deli Inc's last draft. Defendant 209-219 W. 38 LLC has had no comments over the course of three months and three successive rounds of comments. apparently piggybacking on defendant West 38 Kosher Deli Inc's review.

As a result of the above, plaintiff respectfully seeks another extension of time, until August 30, 2023, to enable the parties to finalize and execute the settlement agreement.

¹ This is the third request for an extension of time. The first request was filed on May 30, 2023 which the Court granted on May 31, 2023 (ECF Nos. 43 and 44). The second request was filed on June 30, 2023 which the Court granted on July 5, 2023 (ECF Nos. 45 and 46).

Thank you for your time and attention to this matter.

Respectfully yours,

/s/

Robert G. Hanski, Esq.